Motion GRANTED.

Hearing reset for

11/29/12 at 9:00 a.m.

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UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLME DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	Case No. 3:11-cr-00003-1
)	Judge Trauger
JAMES R. SMITH)	

MOTION TO CONTINUE SENTENCING HEARING DATE

COMES NOW the Defendant, **James R. Smith**, by and through his undersigned counsel, and respectfully requests that this Honorable Court enter an Order continuing the sentencing hearing in his case from Friday, November 2, 2012 at 9:00 a.m. to a later date convenient to the Court and counsel. In support hereof, Defendant states as follows:

- 1. This sentencing hearing in this case is currently set for Friday, November 2, 2012 at 9:00 a.m. This is the first setting for trial.
- 2. This Court is currently engaged in the trial of *United States of America v. Gentry,* et al. The trial is in its second week and will not conclude on or before Friday, November 2, the date of the *Smith* sentencing. The parties will need sufficient time to subpoena necessary witnesses for the *Smith* sentencing.

WHEREFORE, based on the foregoing, Defendant Smith respectfully requests that this Honorable Court enter an Order continuing the sentencing hearing in his case from Friday, November 2, 2012 at 9:00 a.m. to a later date convenient to the Court and counsel.